

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**Select Portfolio Servicing, Inc.**

**CIVIL ACTION NO: 2:19-cv-00361-JDL**

**Plaintiff**

**vs.**

**RE:**

**63 Goodwin Road, Eliot, ME 03903**

**Donna M. Thomas and David W. Thomas**

**Mortgage:**

**August 22, 2007**

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**Defendants**

**Internal Revenue Service**

**Party-In-Interest**

**AFFIDAVIT OF KELLY HARTIGAN IN SUPPORT OF PLAINTIFF'S MOTION  
FOR DEFAULT JUDGMENT AS TO DEFENDANTS/PARTIES-IN-INTEREST**

I, Kelly Hartigan, hereby depose and state as follows:

1. I am a paralegal at Doonan, Graves & Longoria, LLC, the law firm who represents Plaintiff Select Portfolio Servicing, Inc. ("SPS") in this matter. I submit this affidavit in support of Plaintiff's Motion for Default Judgment as to Defendant/Party-In-Interest, David W. Thomas, pursuant to Fed. R. Civ. P. 55(b).
2. Plaintiff's Complaint was filed on August 8, 2019.
3. The Defendant, David W. Thomas, was served with the Complaint on August 9, 2019.
4. Proof of Service for Defendant, David W. Thomas, was filed on August 16, 2019.
5. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendant, David W. Thomas's response to the Complaint was due August 30, 2019.
6. The Defendants are not in the military.
7. On October 4, 2019, Plaintiff filed a Motion for Entry of Default as to Defendant, David



W. Thomas.

8. On October 4, 2021, this Court entered Default as to Defendant, David W. Thomas.
9. Upon information and belief, the attached payment history records received from our client were made at or near the time of the transactions by, or from information transmitted by someone with personal knowledge, pursuant to Fed. R. Evid. 803(6).
10. Upon information and belief, the attached payment history is kept in the course of a regularly conducted activity by our client, pursuant to Fed. R. Evid. 803(6).
11. Upon information and belief, the making of the attached records are a regular practice of our client's regularly conducted activity for maintaining records, pursuant to Fed. R. Evid. 803(6).
12. At the requested hearing, Plaintiff will produce a witness from the servicer of the subject loan to testify to the above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of October, 2021.

/s/Kelly Hartigan  
Kelly Hartigan

**COMMONWEALTH OF MASSACHUSETTS**

ESSEX, ss.

Dated this 28th day of October, 2021

COUNTY OF ESSEX

On this 28th day of October, 2021, before me, the undersigned notary public, personally appeared Kelly Hartigan, who proved to me through satisfactory evidence of identification to be the person whose name is signed on this document, who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

/s/Reneau J. Longoria, Esq.  
Notary Public  
Commission Expires: July 24, 2026